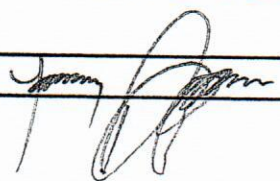


CITY OF NORTH MIAMI

To: Officer Jodlyn Antoine
From: Chief Leonard Burgess

Date: 12/10/2014
Subject: Disciplinary Action



You are hereby notified that you are:

- Removed from the service of the City of North Miami effective _____, _____
Time Date
- Demoted from _____ to _____
Classification Classification
effective _____, _____
Time Date
- Suspended from 8:00am, 12/14/2014 to 9:00am, 2/14/2015
Time Date Time Date
- Fined 100 hours Annual Leave
- Being reprimanded in writing, a copy of which will be kept in your employee file in the Personnel Administration Department.

If one of the first four actions is checked, the following statement will apply to employees with regular Civil Service status, in accordance with Civil Service Rule XIII:

"Written notice of removal given to any employee, or written notice left at or mailed to his/her usual place of residence, shall be sufficient to put any such disciplinary action into effect, and it shall be the duty of the appointing authority taking the action to notify the Personnel Department forthwith.

Any employee in the classified service who deems that he or she has been demoted, removed, fined, or suspended without just cause may, within fourteen (14) calendar days of such action, request in writing a hearing before the Personnel Board to determine the reasonableness of the action, except that any disciplinary action imposed upon an employee following review of an accident or injury by the City's Accident Review Boards pursuant to Administrative Regulation 1-8 or 110-4 shall not be subject to appeal to the Personnel Board, but shall be subject to review in accordance with the respective aforementioned Administrative Regulation or as the same may hereafter be amended."

"The Board shall, within sixty (60) calendar days after a request for appeal by a disciplined employee, proceed to hear such appeal."

If the last action (reprimand in writing) is checked, the following statement will apply to employees with regular Civil Service status, in accordance with Civil Service Rule XIII:

You may appeal this reprimand to the City Manager. You must submit your appeal request, in writing, to the Personnel Administration Department within five (5) calendar days of receipt of the reprimand.


If one of the following is checked, no appeal procedure is available:

- Employee on probation does not have regular Civil Service status in present job classification.
- Disciplinary Action in accordance with Administrative Regulation 1-8, Accident Review Board for All Employees Except Sworn Police Personnel.
- Disciplinary Action in accordance with Administrative Regulation 110-4, Accident Review Board for Sworn Police Personnel.

The disciplinary action was taken for the following reasons: (Remarks from appointing authority. List cause(s) for action as per Rule XIII, Section B, Administrative Regulation, Rule, Policy, or any additional remarks you feel are pertinent to the action.)

SEE ATTACHMENTS

Copy to: Personnel Hand Delivered
 Department or
 Employee Certified Mail

Employee's Signature:  Date: 12/10/14
 Certified Mail Number: _____ Date: _____

Copy must be provided to employee. Forward signed original to Personnel Administration.



NORTH MIAMI POLICE DEPARTMENT
700 N.E. 124 STREET • NORTH MIAMI • FLORIDA 33161
(305) 891-0294



December 8, 2014

Officer Jodlyn Antoine (ID# 06-0171)

RE: Internal Affairs Case No. 14-02

Dear Officer Antoine:

A Predetermination Hearing was held at the North Miami Police Department on December 3, 2014, regarding the intent to terminate your employment based on the findings in the Internal Affairs Case No. 14-02. Your PBA Attorney, Cristina Escobar, and you attended the hearing, during which you had an opportunity to provide me with any information you wished to be considered before making a final disciplinary decision.

As a result of this hearing, we have agreed to the following disciplinary resolution: You have agreed to accept a 30 day (300 hours) disciplinary suspension without pay. Of the 30 days, however, you will be fined for 10 days (100 hours) from your accrued Annual Leave. In addition, you have agreed to accept a six month suspension from the Personalized Patrol Vehicle Program (PPVP), during which time you will not have access to a take home vehicle. Notably, you have agreed to accept the foregoing discipline and hereby waive your right to grieve, challenge or otherwise appeal said discipline.

Regarding your request to stagger your suspension to lessen the financial impact of your suspension on you and your family, we have agreed that you will serve 30 days of your suspension every other week, and you will be fined 10 days (100 hours) of your suspension from your accrued Annual Leave.

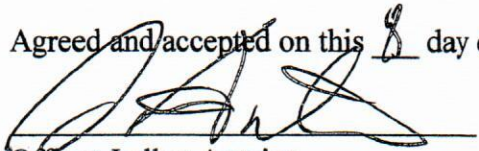
Please contact my office on Tuesday, December 9th 2014, to finalize effective suspension dates and to have further discussion regarding your usage of annual leave and schedule.

Sincerely,

Leonard Burgess
Chief of Police

A handwritten signature in black ink, appearing to read "Leonard Burgess", written over a large, stylized scribble.

Agreed and accepted on this 8 day of December, 2014 by:



Officer Jodlyn Antoine

C: Cristina Escobar, Esq., PBA Counsel
Regine Monestime, Esq., City Attorney
Brett Schneider, Esq., SPHR – Weiss Serota
Aleem Ghany, City Manager

Notice of Disciplinary Action

NORTH MIAMI POLICE DEPARTMENT

Employee: Officer Jodlyn Antoine ID #: 06-0171

Date: July 18, 2014

Classification: Police Officer

Assignment: Uniform Patrol

In reference to North Miami Police Department's Internal Affairs Investigation Case Number 2014-02, the Disposition Panel found the following allegations to be **SUSTAINED**:

❖ **Violation of the North Miami Police Department, Mobile Laptop Computers, Standard Operating Procedure 100.06 IV Paragraph B**

- Criminal Information System: The mobile laptop computers interface with the Florida Criminal Information Center (FCIC) and the National Criminal Information Center (NCIC). This information is strictly limited to law enforcement purposes and may not be disseminated to any person for any other purposes. Use of the FCIC/NCIC network is restricted to personnel who have received FCIC/NCIC training and hold an active certificate.

❖ **Violation of the North Miami Police Department, Mobile Laptop Computers, Standard Operating Procedure 100.06 IV Paragraph D Section 7**

- Information obtained through Department accessed programs is for criminal justice purposes only. Under no circumstances may the FCIC/NCIC database be accessed for personal use. "The mobile laptop computer system shall be used for work related purposes only".

❖ **Violation of CJIS Policies and Procedures – Ethics & Misuse – FCIC/NCIC**

- FCIC/NCIC is provided to criminal justice agencies and statutorily defined agencies for official criminal justice purposes.....of the misuse cases that are investigated, most will stem from one of the following categories: affairs of the heart, political motivation, monetary gain, or idle curiosity.

Officer Jodlyn Antoine admitted to using the FCIC/NCIC database (via a third party) in order to obtain information on the complainant's vehicle for the purpose of verifying the complainant's vehicle regarding his on-going discussions regarding money. Furthermore, Officer Jodlyn Antoine admitted that he disseminated the information provided from FCIC/NCIC to a civilian (specifically, the complainant).

❖ **Use of Uniforms – North Miami Police Rules and Regulations - Section 30**

- Members of the Police Department shall not wear uniforms at any time except when on active duty, on off duty jobs, or assignments of which the department has knowledge.

❖ **Off Duty Usage of Vehicle – North Miami Police Rules and Regulations - Section 42**

- No Police Department vehicle will be used by any member without the permission of their commanding officer, except in a serious emergency when it is impracticable to communicate with said commanding officer and in such an event the reason for the using the vehicle shall be communicated to their commanding officer as soon as possible.

❖ **Off Duty Usage of Vehicle – City of North Miami Administrative Regulations – Section 1-56.6**

- Off Duty Usage – take home vehicles will be used to commute to and from work, by the most direct available route as specified in the agreement, or for official business approved, in advance, by the department head. No private or personal business shall be conducted in take home vehicles except in accordance with paragraph 7 as it applies to sworn police officers who maintain their primary residence within the corporate limits of the City of North Miami.

Officer Jodlyn Antoine admitted that he responded to the complainant's place of employment, which is outside the city limits, while still in full Class 'B' Uniform, while operating his marked North Miami Police vehicle, after he cleared an off duty job and prior to responding to his residence.

❖ **Conduct Unbecoming – North Miami Police Rules and Regulations – Section 59**

- Officer shall conduct themselves, at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming an officer shall include that which brings the department into disrepute or reflects discredit upon the officer, a member of the department, or that which impairs the operation or efficiency of the department or officer.

Officer Jodlyn Antoine repeatedly harassed the complainant, both by phone and in person, in order to obtain repayment of monies owed to his girlfriend. Officer Jodlyn Antoine is known to the complainant and witnesses to be a North Miami Police Officer and, at one point during these incidents, Officer Jodlyn Antoine was wearing his North Miami Police Uniform.

After reviewing the Disposition Panel's findings and considering all the factors, including Officer Jodlyn Antoine's disciplinary profile, I recommend that Officer Jodlyn Antoine receive the following Disciplinary Action:

1) Termination

Based on Internal Investigations Complaints, Counseling, and Discipline Standard Operating Procedure number 300.06 X Counseling: Paragraph B Section 4. (Page 18 - 19)

"The written reprimand along with any response by the employee shall remain in the employee's personnel file. Written reprimands older than two (2) years shall not be considered in determining further disciplinary action unless the employee has exhibited a pattern or a recurrence of a same or similar infraction. Written reprimands shall have a cumulative effect and may be grounds for more serious disciplinary action in the future."

Officer Jodlyn Antoine was given a written reprimand on June 11, 2012 for the following **SUSTAINED** allegations:

- ❖ **North Miami Police Department, Mobile Laptop Computers, Standard Operating Procedure 100.06 IV Paragraph D, Section 7** - "Information obtained through Department accessed programs is for criminal justice purposes only", and
- ❖ **North Miami Police Department, Mobile Laptop Computers, Standard Operating Procedure 100.06 VI Paragraph A** - "The mobile laptop computer system shall be used for work related purposes only".


Based on Internal Investigations Complaints, Counseling, and Discipline Standard Operating Procedure number 300.06 X Counseling: Paragraph Section F. (Page 19 - 20)


"A dismissal is the final and most severe form of discipline administered. An employee may be dismissed from the City's employment when he/she has been previously disciplined, usually by a suspension, for an un-remedied behavior; repetition of serious offenses; or the first occurrence of a serious offense. Dismissal need not follow the progression of other discipline. An employee in the classified service may be dismissed by the City Manager upon recommendation or the Chief of Police, as provided for in Rule XIII, Section A and B, of the Civil Service Rules of the City of North Miami."

Input was provided by Sergeants Walter Sidd, Guillermo Prieto, and Milton Reid.

Employee Signature: _____ Date: _____

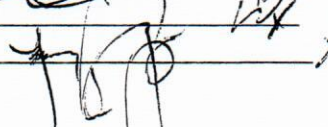
Distribution
Personnel Department
Employee's File (original)
Employee

Recommended By: **Sergeant Joseph Kissel** 

Commander: _____ 

Major: _____

Assistant Chief: _____

Chief of Police: _____ 

Date: **July 18, 2014**

Date: 7-24-14

Date: 7/24/2014

Date: _____

Date: 9-12-14